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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,502	02/27/2002	David G. McCarthy	402-038-26	2742

7590

09/10/2003

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EXAMINER

ABRAMS, NEIL

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085502

Applicant(s)

Examiner

N. Abrams

Group Art Unit

2839

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

☒ Responsive to communication(s) filed on 7-21-03

☒ This action is FINAL.

- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

☒ Claim(s) 1-17, 20 is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-17, 20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

☐ All ☐ Some* ☐ None of the:

☐ Certified copies of the priority documents have been received.

☐ Certified copies of the priority documents have been received in Application No. _____.

☐ Copies of the certified copies of the priority documents have been received

in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit: 2839

Claims 1-4, 7, 10, 12 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Wise.

Claims 5, 6, 8, 9-11, 13, 14, 16, 17, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wise.

Claims 1-17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Electri-Pak 8 in view of Wise and admitted prior art (APA).

The references in each rejection are applied as in last office action. APA is applied for discussion of details of Electro-Pak device.

Applicant's arguments filed with the amendment have been fully considered but they are not persuasive. Reference to Wise, col. 7, lines 14-26 is unclear. Nothing in these lines is seen to affect the rejection. Wise, fig. 40 clearly shows how fig. 1 system is used for "four different circuits", each one using a different line or hot wire. This is basically the same as applicants fig. 2, 4 schematics. Use of duplexes by Wise does not affect the rejection. Functional recitations of "simultaneously" and of "one, two, three or four" if they apply to use of applicant device should equally apply to use of Wise, figs. 1-5 system. It is submitted that it would have been obvious to use any selected number of the outlets 44, 45, 44', 45'.

For Electro-Pak, "4-circuits" are specifically referred to and ~~depicted to~~ and depicted in "cross section of power module" fig. In front page fig, three outlets are on one side, it seems obvious that intent is to use three more on other side. Basically considered obvious to provide

Art Unit: 2839

wiring for different circuits, three, four, five, etc, based on needs for power at wall panel being designed.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to N. Abrams at telephone number 308-1729.

Abrams/ek

09/05/03


NEIL ABRAMS
EXAMINER
ART UNIT 322